



Attorney Docket No.: 10059-37LUS (P23072-01)

DECLARATION AND POWER OF ATTORNEY (Original Application)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Non-aqueous electrolyte secondary battery and method for producing the same the specification of which is attached hereto and/or was filed on June 1, 2000 as Application No. PCT/JP00/03581

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to herein.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed WALLE COPY

FOREIGN PRIORITY APPLICATION(S)

| _ | | | Priority Claimed | | |
|---------------------------|--------------------|--|------------------|--|--|
| Patent Application | | | | | |
| Hei 11-158615 (Number) | Japan (Country) | 4 June, 1999 (Day / month / year filed) | [X] Yes [] No | | |
| (Number) | (Country) | (Day / month / year filed) | [] Yes [] No | | |
| (Number) | (Country) | (Day / month / year filed) | [] Yes [] No | | |





I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional patent application(s) listed below and have also identified below any United States provisional patent application(s) having a filing date before that of the application on which priority is claimed:

| PRO | OVISIONAL PRIORI | TY PATEI | NT APPLICATION | | 71 |
|-------------------------|-------------------------|--------------|-----------------------|----------------|------------|
| | | | | Priority (| Claimed |
| | NT \ | 7E::: E / | | _ [] Yes | [] No |
| (Application | No.) | (Filing Dat | ce) | | |
| | | | | [] Yes | [] No |
| (Application | No.) | (Filing Dat | e) | _ ()103 | [] [10 |
| And I he | reby appoint the regis | tered attor | neys and agents as | sociated with | n Akin, |
| Gump, Strauss, Hau | er & Feld, L.L.P., Cus | stomer No | . 000570, as my att | orneys or age | ents with |
| full power of substitut | tion and revocation, to | prosecute | this application an | d to transact | all |
| business in the Paten | t and Trademark Offic | e connecte | d therewith. | | |
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| Philadelphia, Pennsy | lvania 19103. Please | direct all c | ommunications an | d telephone o | alls to |
| William W. So | hwarze | | at (215)965 | 1270 | _ · |
| I hereby | declare that all staten | nents made | e herein of my own | knowledge a | re true |
| and that all statemen | ts made on informatio | n and belie | ef are believed to be | true; and fu | rther |
| that these statements | s were made with the l | knowledge | that willful false st | atements an | d the like |
| so made are punishab | ole by fine or imprison | ment, or bo | th, under Section 1 | 1001 of Title | 18 of the |
| United States Code as | nd that such willful fa | lse stateme | ents may jeopardize | e the validity | of the |
| application or any pat | tent issuing thereon. | | | | |
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